

## Message Text

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ACTION L-03

INFO OCT-01 ARA-10 IO-13 ISO-00 EB-08 SP-02 SS-15  
CIAE-00 INR-07 NSAE-00 AID-05 HEW-04 COME-00  
FRB-03 USIA-06 TRSE-00 XMB-02 OPIC-03 LAB-04  
SIL-01 OMB-01 NSC-05 STR-04 CEA-01 JUSE-00 SEC-01  
AF-10 EA-07 EUR-12 NEA-10 FTC-01 IGA-02 /141 W  
-----118489 290252Z /72

R 281650Z JUL 77  
FM USMISSION GENEVA  
TO SECSTATE WASHDC 9787  
INFO AMEMBASSY BRASILIA  
USMISSION USUN NEW YORK

C O N F I D E N T I A L GENEVA 6394

E.O. 11652: GDS  
TAGS: ECOSOC, EINV, EGEN, UN  
SUBJECT: AGREEMENT ON ILLICIT PAYMENTS

REF: BRAZIL 5630

1. BRAZILIANS APPROACHED STEPHON BOND (L/EB) OF US  
DELEGATION TO UNCTAD WORKING GROUP ON TRANSFER OF  
TECHNOLOGY CODE OF CONDUCT, IN ORDER TO FURTHER DISCUSS  
POSSIBLE TRADE REFERRED TO IN REFTEL. BRAZILIAN  
(ALENCAR) MADE FOLLOWING POINTS: BRAZIL NOTES THE  
IMPORTANCE THE US ATTACHES TO AN ILLICIT PAYMENTS  
CONVENTION. BRAZIL ATTACHES GREAT IMPORTANCE TO THE  
TECHNOLOGY TRANSFER CODE OF CONDUCT. THEREFORE, BRAZIL  
BELIEVES THAT A TRADE-OFF COULD BE ARRANGED BETWEEN THE  
US AND BRAZIL. THE UNGA WILL HAVE TO PASS ON THE US PROPOSAL  
THAT ECOSOC CALL A DIPLOMATIC CONFERENCE TO NEGOTIATE THE  
ILLICIT PAYMENTS AGREEMENT, AND THE UNGA WILL ALSO,  
PURSUANT TO THE RELEVANT UNCTAD IV RESOLUTION, HAVE TO  
PASS A RESOLUTION TO CONVENE THE UN CONFERENCE ON THE  
TECHNOLOGY CODE. IN BRIEF, BRAZIL WILL SUPPORT THE US  
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PROPOSAL IN THE UNGA (AS IT ALREADY IS DOING IN THE  
PRESENT ECOSOC MEETING) IF THE US WILL SUPPORT THE CONCEPT  
THAT THE UN CONFERENCE ON THE TECHNOLOGY CODE WILL BE A  
PLENIPOTENTIARY CONFERENCE. IN MAKING THIS PROPOSAL, BRAZIL  
IS NOT ASKING AT THIS TIME THAT THE US CHANGE ITS POSITION  
REGARDING THE LEGAL NATURE OF THE CODE. RATHER, IT IS  
MERELY ASKING THAT DELEGATES TO THE TECHNOLOGY CONFERENCE

HAVE PLENIPOTENTIARY POWERS. NEITHER IS BRAZIL ASKING FOR AN IMMEDIATE RESPONSE, AS THE TRADE WOULD BECOME OPERATIVE IN THE UNGA, NOT THE PRESENT ECOSOC MEETING.

2. BOND REPLIED THAT HE WAS NOT ABLE TO RESPOND TO THE SPECIFIC PROPOSAL AT THIS TIME. HE DID NOTE THAT THE POSITION OF THE US REGARDING THE LEGAL NATURE OF THE TECHNOLOGY CODE HAD NOT CHANGED. REGARDING THE CHARACTER OF THE EVENTUAL UN CONFERENCE, AT UNCTAD IV WHERE THE G-77

HAD FIRST PROPOSED A PLENIPOTENTIARY CONFERENCE, GROUP B, INCLUDING THE US, HAD NOT ACCEPTED THE TERM "PLENIPOTENTIARY" BECAUSE WE BELIEVED THAT THE CALLING OF A PLENIPOTENTIARY CONFERENCE WOULD PREJUDICE OUR POSITION ON THE LEGAL NATURE OF THE CODE. THIS SAME ISSUE IS POSED BY THE PRESENT BRAZILIAN PROPOSAL. AS FAR AS BOND WAS AWARE, THE US POSITION IN THIS REGARD HAD NOT CHANGED. HE WOULD, HOWEVER, REPORT THE PROPOSAL TO WASHINGTON. OF COURSE, IF THE US ILLICIT PAYMENTS RESOLUTION DIED IN ECOSOC, THEN THERE WOULD BE NO POINT IN EVEN REPORTING THE BRAZILIAN PROPOSAL. THEREFORE, WE HOPED THAT BRAZIL WOULD MAKE EVERY EFFORT IN THE G-77 TO GATHER SUPPORT FOR THE US RESOLUTION IN ECOSOC.  
VANDEN HEUVEL

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## Message Attributes

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**Capture Date:** 01-Jan-1994 12:00:00 am  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
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**Decaption Date:** 01-Jan-1960 12:00:00 am  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
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**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 22 May 2009  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
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**Enclosure:** n/a  
**Executive Order:** GS  
**Errors:** N/A  
**Expiration:**  
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**TAGS:** EINV, EGEN, BR, ECOSOC, UN  
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**Type:** TE  
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**Review Markings:**  
Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
22 May 2009  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009